

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

**DWAYNE J. SCOTT AND DERELL J.
MEYNARD, Individually and on behalf of all
others similarly situated,**

Plaintiffs,

-against-

WHOLE FOODS MARKET GROUP, INC.

Defendant.

**NOTICE OF DEFENDANT WHOLE
FOODS MARKET GROUP, INC.'S
WITHDRAWAL OF ASSENTED
LETTER MOTION FOR
EXTENSION OF TIME TO ANSWER
COMPLAINT**

Case No. 2:18-cv-00086-SJF-SKT

PLEASE TAKE NOTICE, that Defendant Whole Foods Market Group, Inc. (“Defendant” or “Whole Foods”), by and through its attorneys, Hunton Andrews Kurth LLP, hereby respectfully withdraws its Assented Letter Motion for Extension of Time to Answer Complaint, filed with this Court on April 25, 2019 (the “Assented Motion”). (Docket Entry 22).

Following the filing of the Assented Motion, the parties separately conferred and jointly agreed that Whole Foods would file its Answer and Affirmative Defenses to the Class Action Complaint by June 7, 2019. Whole Foods filed the aforementioned Answer and Affirmative Defenses to the Class Action Complaint in accordance with such agreement. (Docket Entry 24). Therefore, the Assented Motion is now moot, and Whole Foods withdraws the same.

Respectfully submitted,

DEFENDANT WHOLE FOODS MARKET
GROUP, INC.

By: /s/ Christopher M. Pardo
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Dated: June 7, 2019

CERTIFICATE OF SERVICE

I, Christopher M. Pardo, hereby certify that on June 7, 2019 a true and correct copy of the foregoing document was electronically filed through the Court's CM/ECF system served upon counsel of record through the same.

/s/ Christopher M. Pardo
Christopher M. Pardo